

CALFEE, HALTER & GRISWOLD LLP

Attorney Docket No. 27211/04059

DECLARATION
AND POWER OF ATTORNEY

ORIGINAL APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

DEVICE AND METHOD FOR TESTING PAVING MATERIALS

the specification of which

- ☐ is attached hereto,
☒ was filed on August 22, 2003 as PCT International Application Serial No. PCT/US03/26459.
☐ and was amended on _____
 (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s) or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				Yes	No
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplementary priority data sheet PTO/SB/02B attached hereto.

I hereby claim on information and belief the benefit of United States priority under 35 USC §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application(s) in the manner provided by the first paragraph of 35 USC 112, I acknowledge the duty to disclose information material to the patentability of this application as defined in 37 CFR 1.56 which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

Application Serial Number	Filing Date	Legal Status

I hereby claim on information and belief the benefit of United States priority under 35 USC §119(e) of any United States provisional application(s) listed below:

Application Serial Number	Filing Date	Legal Status
60/405,532	August 23, 2002	

I hereby appoint the following attorney(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

The Attorneys Associated with Customer No. 24024

Direct all telephone calls to Courtney J. Miller at telephone number (614) 621-7015 and faxes to (614) 621-0010.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of
first inventor:

Sang-Soo Kim

Inventor's
Signature

SangSoo Kim

Date: Feb 15, 2005

Residence &
Post Office Address

7245 Edgewood Ln
Athens Ohio 45701

Citizenship

USA

Sheet No.

Box No. VIII (iv) DECLARATION: INVENTORSHIP (only for the purposes of the designation of the United States of America)
The declaration must conform to the following standardized wording provided for in Section 214; see Notes to Boxes Nos. VII, VIII (i) to (iv) (in general) and the specific Notes to Box No. VIII (iv). If this Box is not used, this sheet should not be included in the request.

**Declaration of inventorship (Rules 4.17(iv) and 51b1.1(a)(iv))
 for the purposes of the designation of the United States of America:**

I hereby declare that I believe I am the original, first and sole (if only one inventor is listed below) or joint (if more than one inventor is listed below) inventor of the subject matter which is claimed and for which a patent is sought

This declaration is directed to the international application of which it forms a part (if filing declaration with application)

This declaration is directed to international application No. PCT/ (if furnishing declaration pursuant to Rule 26ter)

I hereby declare that my residence, mailing address, and citizenship are as stated next to my name

I hereby state that I have reviewed and understand the contents of the above-identified international application, including the claims of said application. I have identified in the request of said application, in compliance with PCT Rule 4.10, any claim to foreign priority, and I have identified below, under the heading "Prior Applications," by application number, country or Member of the World Trade Organization, day, month and year of filing, any application for a patent or inventor's certificate filed in a country other than the United States of America, including any PCT international application designating at least one country other than the United States of America, having a filing date before that of the application on which foreign priority is claimed

Prior Applications:

I hereby acknowledge the duty to disclose information that is known by me to be material to patentability as defined by 37 C.F.R. § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the PCT international filing date of the continuation-in-part application

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon

Name: Sang-Sop Kim

Residence: 7245 Edgewood Lane, Athens, Ohio 45701, USA
 (city and either US state, if applicable, or country)

Mailing Address: 7245 Edgewood Lane
 Athens, Ohio 45701, USA

Citizenship: Korea

Inventor's Signature: *Sang-Sop Kim*
 (if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)

Date: August 22, 2003
 (of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)

Name:

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 (city and either US state, if applicable, or country)

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☐ This declaration is continued on the following sheet, "Continuation of Box No. VIII (iv)"

Sheet No. 3

Box No. VIII (iv) DECLARATION: INVENTORSHIP (only for the purposes of the designation of the United States of America)
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☐ This declaration is continued on the following sheet, "Continuation of Box No. VIII (iv)"